

**380.110 Cause of action for loss resulting from violation of KRS Chapter 380 --
Time limitation on prosecution of action.**

- (1) Any person who enters into a debt-adjusting transaction and thereby suffers any ascertainable loss of money or property, real or personal, as a result of a violation of this chapter, may bring an action under the Rules of Civil Procedure in the Circuit Court in which the person resides or where the transaction in question occurred, to recover actual damages. The court may, in its discretion, award actual damages and may provide such equitable relief as it deems necessary or proper. Nothing in this section shall be construed to limit a person's right to seek punitive damages where appropriate.
- (2) Upon commencement of any action brought under subsection (1) of this section, the clerk of the court shall mail a copy of the complaint or other initial pleading to the Attorney General and, upon entry of any judgment or decree in the action, shall mail a copy of such judgment to the Attorney General.
- (3) In any action brought by a person under this section, the court may award to the prevailing party, in addition to the relief provided in this section, reasonable attorney's fees and costs.
- (4) Any person bringing an action under this section shall bring such action within one (1) year after any action of the Attorney General has been terminated or within two (2) years after the violation of this chapter, whichever is later.

Effective: July 15, 2010

History: Created 2010 Ky. Acts ch. 86, sec. 6, effective July 15, 2010.